UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION 5:15-cv-48-RJC-DSC

ZEN B. WALKER,)
Plaintiff,)
v.)
v.) ORDER
CAROLYN W. COLVIN,)
Acting Commissioner of)
Social Security Administration,)
Defendant.)))

THIS MATTER comes before the Court on Defendant's Consent Motion for Entry of Judgment with Remand Under Sentence Four of 42 U.S.C. § 405(g). (Doc. No. 17). Under sentence four of 42 U.S.C. § 405(g), "[t]he court shall have the power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing."

See also Shalala v. Schaefer, 509 U.S. 292, 296–97 (1993); Melkonyan v. Sullivan, 501 U.S. 89, 98 (1991).

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of Defendant's request to remand this action for further administrative proceedings, the Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a remand of the cause to the Commissioner for further administrative proceedings, including a supplemental hearing.

Upon remand, the Administrative Law Judge shall hold a supplemental hearing; obtain

further vocational expert testimony; address and resolve any apparent conflicts between the vocational expert's testimony and the Dictionary of Occupational Titles in accordance with SSR

00-4p; and issue a new decision.

Because this matter is hereby remanded to the Commissioner, Plaintiff's Motion for

Summary Judgment, (Doc. No. 13), is moot and shall be dismissed.

IT IS, THEREFORE, ORDERED that, for good cause shown:

1. Defendant's Consent Motion for Entry of Judgment with Remand Under Sentence

Four of 42 U.S.C. § 405(g), (Doc. No. 17), is **GRANTED**. The Court hereby

REVERSES the decision of the Commissioner and **REMANDS** this case for

further administrative proceedings.

2. Plaintiff's Motion for Summary Judgment, (Doc. No. 13), is **DISMISSED as**

moot.

3. The Clerk of Court is directed to enter a separate judgment pursuant to Federal

Rule of Civil Procedure 58 and to close this case.

Signed: February 5, 2016

Bobert J. Cornad, Jr.

United States District Judge